



# City of Marietta

## Meeting Minutes

### COMMITTEE OF THE WHOLE

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

*William B. Dunaway, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Grif Chalfant, Ward 2*  
*Holly Marie Walquist, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Monday, October 12, 2009

5:15 PM

4th Floor Conference Room

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**Presiding:** William B. Dunaway

**Present:** Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

***Also Present:***

*William F. Bruton, Jr. City Manager*

*Douglas R. Haynie, City Attorney*

*Stephanie Guy, City Clerk*

**CALL TO ORDER:**

*Mayor William B. Dunaway called the meeting to order at 5:16 p.m.*

**MINUTES:**

**20090994 Regular Meeting - September 3, 2009**

Review and approval of the September 3, 2009 regular meeting minutes.

**A motion was made by Council member Walquist, seconded by Council member Coleman, that this matter be Approved. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Approved**

**BUSINESS:**

**20091104 BLW Report**

Council member Jim King gives the BLW Report for the Monday, October 12, 2009 meeting.

*Council member King reported on the actions of the Board of Lights and Water at their September 14, 2009 and October 12, 2009 regular meetings. Finance Director Sam Lady reported on the BLW finance statements. (See the September 14, 2009 and October 12, 2009 regular Board of Lights and Water meeting minutes for details.)*

**This matter was Reported.**

**20090990 National League of Cities 2009 Congress of Cities and Exposition**

Motion approving travel and training expenses for Mayor and Council members who wish to attend the NLC 2009 Congress of Cities and Exposition in San Antonio, Texas, November 10-14, 2009.

**A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 6 - 1 - 0**

**Recommended for Approval - Consent Agenda**

Vote Against: 1 - Jim King

**20090991 NLC Annual Congress of Cities Business Meeting**

Appointment of a voting delegate and alternate voting delegate for the NLC Annual Congress of Cities Business Meeting on Saturday, November 14, 2009, in San Antonio, Texas.

*Appointment of Philip M. Goldstein as voting delegate and Annette Lewis as alternate voting delegate for the NLC Annual Congress of Cities Business Meeting on Saturday, November 14, 2009, in San Antonio, Texas.*

**A motion was made by Council member Walquist, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Recommended for Approval - Consent Agenda**

**20091019 Aviation Sports Complex Lease**

Request for approval to enter negotiations for the lease of the Aviation Sports Complex.

**A motion was made by Council member Chalfant, seconded by Council member Walquist, that this matter be Recommended for Approval. The motion failed by the following vote:**

**Vote: 3 - 4 - 0**

**Denied**

Vote Against: 4 - Philip M. Goldstein, Annette Lewis, Rev. Anthony Coleman and Jim King

**20091022 Combined Cycle Power Sales Contracts-First Amendment**

Motion to authorize execution of the BLW Resolution with the Municipal Electric Authority of Georgia (MEAG) authorizing the execution and delivery of a First Amendment to the amended and restated Combined Cycle Power Sales Contracts, as recommended by the Board of Lights and Water.

**A motion was made by Council member Pearlberg, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 6 - 0 - 0**

**Recommended for Approval - Consent Agenda**

Absent for the vote: Grif Chalfant

**20091023      Municipal Competitive Trust-Second Replacement Amendment**

Motion to authorize the execution and delivery of a BLW Second Replacement Amendment to the Municipal Competitive Trust as presented, as recommended by the Board of Lights and Water.

**A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 6 - 0 - 1**

**Recommended for Approval - Consent Agenda**

Abstain: Philip M. Goldstein

**20091036      City website**

Discussion regarding policies relative to the city website.

*Motion to approve elected officials' use of city web site stating unless the message has been generated as the official policy of the City, there shall be a disclaimer that the posting is of the individual and does not represent the position of the City of Marietta.*

**A motion was made by Council member Goldstein, seconded by Council member Chalfant, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:**

**Vote: 6 - 1 - 0**

**Recommended for Council Agenda Non  
Consent**

Vote Against: Van Pearlberg

**20091048      Civil Service Board Uncontested Election**

Motion approving the certified Uncontested Election results for the Marietta Civil Service Board Post 2 vacancy, electing Edgar Darden Borders, II for a term of three years, effective January 1, 2010 and expiring on December 31, 2012.

**A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Recommended for Approval - Consent Agenda**

**20091060      Kennesaw House**

Proposal from DMDA relative to the Kennesaw House.

**This matter was Referred to the JUDICIAL/LEGISLATIVE COMMITTEE.**

**20091103 Draft City Council Agenda**

Review of the draft council agenda for the Wednesday, October 14, 2009 meeting.

*-under Minutes: Agenda item 20091116 was added to the consent agenda.*

*-under Ordinances: Agenda items 20091055, 20091077 and 20091088 were removed from the agenda.*

*-under Judicial/Legislative: Agenda item 20091004 was amended*

*-under Public Works: Agenda item 20091033, 20091110, 20091112, 20091117, 20091118 and 20091119 were added to the consent agenda. Agenda item 20091117 was amended to remove 12 Cobb Parkway and 1040 Roswell Street.*

*-under Other Business: Agenda item 20090992 and 20090993 were added to the consent agenda.*

**This matter was Discussed.**

**20091105 Executive Session**

Executive Session to discuss legal, personnel and/or real estate matters.

**A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to enter an Executive Session to discuss real estate acquisition, personnel and legal matters. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Approved**

*For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein*

*The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).*

**A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to close the Executive Session. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Approved**

*For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein*

**20091001 Marietta Growth Fund**

Discussion of the establishment of a Grant/Loan Review Committee for the Marietta Growth Fund.

*Motion to establish a Grant/Loan Review Committee for the Marietta Growth Fund, with seven (7) members as recommended by staff and including the Chairman of the Economic Development Committee as a non-voting ex-officio member.*

**A motion was made by Council member Walquist, seconded by Council member King, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:**

**Vote: 6 - 1 - 0**

Vote Against: Philip M. Goldstein

**Recommended for Council Agenda Non  
Consent****20091003 Marietta Development Authority Vacancies**

Consideration of appointments to the Marietta Development Authority to fill vacancies for Post 3 and Post 5.

**A motion was made by Council member Walquist, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 7 - 0 - 0****Recommended for Approval - Consent Agenda****ADJOURNMENT:**

*The meeting was adjourned at 8:15 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk****Approved: \_\_\_\_\_**